

Notice of Allowability

Application No.

09/285,773

Examiner

Lynette T. Umez-Eronini

Applicant(s)

MERCALDI ET AL.

Art Unit

1765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/8/2004.
2. ☒ The allowed claim(s) is/are 1- 6, 9, 13-15, 22-27, 33-35, 39-41, 83, and 89-93.
3. ☒ The drawings filed on 05 April 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

NADINE G. NORTON
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

REASON FOR ALLOWANCE

1. Claims 1-6, 9, 13-15, 22-27, 33-35, 39-41, 83, and 89-93 are allowed
2. The following is a statement of reasons for the indication of allowable subject matter: No prior art teaches and suggests it obvious in having an etching composition consisting essentially of:

a non-aqueous composition of a polyhydric alcohol and at least two inorganic acids, wherein one of said inorganic acids is selected from the group consisting of sulfuric, boric, carbonic, perchloric, and sulfurous acid, in combination with the other limitations **of claims 1, 5, 6, 13, 14, 15;**

a non-aqueous composition of a polyhydric alcohol and at least two inorganic acids, wherein one of said inorganic acids is selected from the group consisting of sulfuric, boric, carbon, perchloric, and sulfurous acid, in combination with the other limitations **of claims 2-4;**

a non-aqueous composition of an alcohol and at least two inorganic acids, wherein one of said inorganic acids is selected from the group consisting of sulfuric, boric, carbonic, perchloric, and sulfurous acid, **in claim 9;**

a non-aqueous composition of an alcohol and at least two different inorganic acids, wherein one of said inorganic acids is selected from the group consisting of sulfuric, boric, carbonic, perchloric, and sulfurous acid, **in claims 22, 26, 27, 33, 34, and 35;**

a non-aqueous composition of a polyhydric alcohol and at least two different inorganic acids, wherein one of said inorganic acids is selected from the group consisting of sulfuric, boric, carbon, perchloric, and sulfurous acid, in combination with the other limitations **of claims 23-25**;

propylene glycol, nitric acid and hydrofluoric acid in combination with the other limitations **of claims 39-41**;

a non-aqueous composition of propylene glycol and at least two inorganic acids wherein one of said inorganic acids is selected from the group consisting of hydrofluoric, phosphoric, sulfuric, boric, carbon, perchloric, and sulfurous acid, **in claim 83**;

a non-aqueous composition of an alcohol, sulfuric acid, and at least another inorganic acid, **in claim 89**;

a non-aqueous composition of an alcohol, boric acid, and at least another inorganic acid, **in claim 90**;

a non-aqueous composition of an alcohol, perchloric acid, and at least another inorganic acid, **in claim 91**;

a non-aqueous composition of an alcohol, carbonic and at least another inorganic acid, **in claim 92**; and

a non-aqueous composition of an alcohol, sulfurous acid, and at least another inorganic acid, **in claim 93**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynette T. Umez-Eronini whose telephone number is 571-272-1470. The examiner is normally unavailable on the First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on 571-272-1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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July 20, 2004

NADINE G. NORTON
SUPERVISORY PATENT EXAMINER

